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Art Unit: 2617

PU020378
Customer No. 24498

Remarks/Arguments

The present application contains claims 1-14 that stand Finally Rejected in the Official action mailed 6 September 2006. Applicants filed an Amendment After Final Rejection on 24 October 2006 which has been deemed not to place the application in condition for allowance, as indicated the Advisory Action mailed 16 November 2006. Applicants traverse the rejections, particularly in view of the comments made in that Advisory Action.

35 U.S.C. 103(a) Rejection of Claims 1 and 8

Claims 1 and 8 have been Finally Rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 5,920,814 to Sawyer et al. in view of U.S. Patent No. 6,070,070 to Ladue.

In asserting this rejection, the Examiner relies on Sawyer et al., stating:

Querying at least on serving node in the wireless network to recognize the mobile wireless terminal in accordance with a temporary identity contained in the access request (See Col. 1, lines 49-55), but if no serving node recognizes the mobile wireless terminal, then launching a query from the one serving node to a register in the wireless network storing identity information of previously registered mobile wireless terminals to identify the mobile wireless terminal from its temporary identity (See Col. 1, lines 49-57).

Applicants disagree with the Examiner's interpretation of this patent. At Col. 1, lines 49-64, Sawyer et al. states the following:

The IS-136 standard, however, has a deficiency regarding the management of TMSIs in the network. Each MSC assigns its own TMSIs to mobile stations operating within the MSC's service area. If a mobile station is assigned a TMSI in a first MSC and then moves into the service area of a second MSC operating with the same System Identity (SID), the mobile station attempts to register in the second MSC utilizing the TMSI assigned by the first MSC. However, the second MSC cannot recognize the TMSI assigned by the first MSC. Therefore, the second MSC cannot identify the mobile station and does not know which HLR to access to retrieve subscriber information. This unsuccessful registration attempt results in a Registration Reject from the second MSC, thereby forcing the mobile station to attempt the registration a second time utilizing its permanent MIN. Thus, there is additional signaling and lost time

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because the mobile station was not recognized on the first registration attempt in the second MSC.

As discussed in applicants' Amendment after Final rejection, Claim 1, recites :

...but if no serving node recognizes the mobile wireless terminal, then launching a query from the one serving node to a register in the wireless network storing identity information of previously registered mobile wireless terminals to identify the mobile wireless terminal from its temporary identity...

Applicants maintain that the disclosure at Col. 1, lines 49-64 of Sawyer et al. contradict the features of claim 1. Specifically, Sawyer et al. teaches that the unsuccessful registration attempt results in a registration rejection from the second MSC, thereby forcing the mobile station to attempt the registration a second time "utilizing its permanent MIN". It is exactly this scenario which applicants' invention seeks to prevent (See the background description of present principles starting on page 1, line 23 – page 2, line 14 of applicants' specification.). Applicants' invention seeks to prevent the Mobile device from transmitting its permanent mobile identification number (MIN) (i.e., the International Mobile Subscriber Identity or IMSI as described in applicants' specification) to maintain the identity of the mobile subscriber secret. Applicants' invention never allows the mobile device to send its permanent information. Only when the device is registered in a network where its permanent identity is stored in a register of the wireless network, does the network obtain the subscriber's identity using the TMSI. Thus, applicants' invention clearly prevents a security breach.

Applicants' claim 8 recites:

...a register in the wireless network storing permanent identity information of previously registered mobile wireless terminals to identify the mobile wireless terminal from its temporary identity using its permanent identity information in response to a query from the at least one serving node when the one node lacks knowledge of the mobile wireless terminal.

Thus, as recited in claim 8, applicants store the permanent information in a register on the network and transmit that information to the at least one serving node when that node lacks knowledge of the mobile wireless terminal. Thus, the teachings of Sawyer et contradict the features set forth in independent claim 1 and 8.

In the Advisory Action of 11 November 2006, the examiner contends the Sawyer et al. patent specially teaches applicants' the feature of:

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..."but if no serving node recognizes the mobile wireless terminal, then launching a query from the one serving node to a register in the wireless network storing identity information of previously registered mobile wireless terminals to identify the mobile wireless terminal from its temporary identity;

In support of that assertion, the examiner point to the disclosure at Col. 2, lines 12-14 of Sawyer et al. which provides:

...The Contribution proposes a solution to the aforementioned deficiency by passing the mobile station's TMSI from the serving MSC to neighboring MSCs.

The examiner's reliance on this disclosure of Sawyer et al. indicates an apparent misunderstanding of applicants' claimed invention. Applicants' claimed invention does not entail the shifting of temporary identity information (TMSI packets) from MSC to MSC (or in applicants' parlance, from serving node to serving node.) Rather as recited in applicants claims 1 and 8, applicants query the network serving node(s) to determine whether any node recognizes the temporary identity (TMSI) of the terminal. If none of the serving nodes recognize the terminal, then a home location register (HLR) sends an identification response to the serving node. **The examiner should appreciate that applicants' feature of querying serving node(s) does not constitute the same function as shifting temporary identities among serving nodes as taught by Sawyer et al.** Thus, the Sawyer et al. patent does not teaches the features of applicants' claims 1 and 8, especially the feature of querying serving node(s) for a temporary identity in connection with the attachment of a mobile wireless terminal to a wireless network.

Applicants submit that the Ladue patent teaches a wireless network in which a central host can query a home location register (HLR) to obtain a mobile identification number. However, like the Sawyer et al. patent, the Ladue patent fails to teach applicants feature of querying serving node(s) for a temporary identity in connection with the attachment of a mobile wireless terminal to a wireless network. Therefore, combining the teachings of Sawyer et al. with those of Ladue, clearly fail to disclose or remotely suggest the claimed features of the present principles. Reconsideration and withdrawal of the rejections under 35 U.S.C. §103(a) of independent claims 1 and 8 and early allowance of the same is respectfully requested.

Claims 2-3 and 9-10 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Sawyer et al., in view of Ladue and in further view of Rautila et al. (USP 6,853,851). The Rautila et al. patent fails to supply the missing teachings of Sawyer et al. as discussed in connection with the rejections of claims 1 and 8. Thus, in view of the above-identified

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distinctions between the claimed subject matter of the present principles and the combined teachings of Sawyer et al. with those of Ladue, any combination of these references with the teachings of any other reference fail for at least the reasons cited above. Withdrawal of this rejection is respectfully solicited.

Claims 4-5 and 11-12 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Sawyer et al., in view of Ladue, in further view Rautila et al. and Quick Jr. et al. (US 2003/0112976). The Quick Jr. et al. patent fail to provide the missing teachings not found in Sawyer et al., Ladue and Rautila et al, with regard to claims 1 and 8, from which claims 4-5 and 11-12 depend, respectively. In view of the above-identified distinctions between the claimed subject matter of the present principles and the combined teachings of Sawyer et al. with those of Ladue, any combination of these references with the teachings of any other reference fail for at least the reasons cited above. Withdrawal of this rejection is respectfully solicited.

Claim 6 stands rejected under 35 U.S.C. §103(a) as being unpatentable over Sawyer et al., in view of Ladue and in further view Rautila et al. and Warsta (USP 5,713,073). The Warsta patent fails to provide the missing teaching not found in Sawyer et al., Ladue, and Rautila. In view of the above-identified distinctions between the claimed subject matter of the present principles and the combined teachings of Sawyer et al. with those of Ladue, any combination of these references with the teachings of any other reference fail for at least the reasons cited above. Withdrawal of this rejection is respectfully solicited.

Claims 7 and 14 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Sawyer et al. in view of Ladue and in further view of Warsta. In view of the above-identified distinctions between the claimed subject matter of the present principles and the combined teachings of Sawyer et al. with those of Ladue, any combination of these references with the teachings of any other reference fail for at least the reasons cited above. Withdrawal of this rejection is respectfully solicited.

Claim 13 stands rejected under 35 U.S.C. §103(a) as being unpatentable over Sawyer et al., in view of Ladue, in further view of Rautila et al., Quick Jr. et al. and Warsta. In view of the above-identified distinctions between the claimed subject matter of the present principles and the combined teachings of Sawyer et al. with those of Ladue, any combination of these references with the teachings of any other reference fail for at least the reasons cited above. Withdrawal of this rejection is respectfully solicited.

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CONCLUSION

In view of the foregoing, Applicant respectfully requests allowance of pending claims 1-14, and that the case proceed to early issuance of Letters Patent in due course.

It is believed that no additional fees or charges are currently due. However, in the event that any additional fees or charges are required at this time in connection with the application, they may be charged to applicant's representatives Deposit Account No. 07-0832

Respectfully submitted,
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